UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : S1 08 Cr. 33 (HB)

- v. -

JOEL MINAYA, :

Defendant. :

- - ... - - - - - - - x

The above-named defendant, who is accused of violating 21 U.S.C. §§ 812, 841(a)(1), 841(b)(1)(B), and 846, and 18 U.S.C. § 2, being advised of the nature of the charge and of his rights, hereby waives, in open Court, prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

Witness

Counsel for Defendant

Date: New York, New York July 31, 2008

